

## **STATUS OF THE CLAIMS**

Claims 1-44 were originally filed in this patent application. In the pending office action, claim 30 was rejected under 35 U.S.C. §112, second paragraph. Claims 28-35 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 26-27 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 7,146,496 to Circenis *et al.* (hereinafter “Circenis”). Claims 1-25 and 28-44 were rejected under 35 U.S.C. §103(a) as being unpatentable over Circenis. No claim was allowed. In this amendment, claims 1-18, 22 and 24-44 have been cancelled, claim 19 has been amended, and claim 45 has been added. Claims 19-21, 23 and 45 are currently pending.

## **REMARKS**

### Rejection of claim 30 under 35 U.S.C. §112

The examiner rejected claim 30 under 35 U.S.C. §112, second paragraph. Claim 30 has been cancelled herein, and therefore need not be addressed.

### Rejection of claims 28-35 under 35 U.S.C. §101

The examiner rejected claims 28-35 under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 28-35 have been cancelled herein, and therefore need not be addressed.

### Rejection of claims 26-27 under 35 U.S.C. §102(e)

The examiner rejected claims 26-27 under 35 U.S.C. §102(e) as being anticipated by Circenis. Claims 26-27 have been cancelled herein, and therefore need not be addressed.

Rejection of claims 1-25 and 28-44 under 35 U.S.C. §103(a)

The examiner rejected claims 1-25 under 35 U.S.C. §103(a) as being unpatentable over Circenis. Claims 1-18, 22, 24-25 and 28-44 have been cancelled herein, and therefore need not be addressed. Claim 19 has been amended herein to incorporate limitations in former dependent claims 22 and 24, which have been cancelled herein, as well as other limitations. Nowhere does Circenis teach or suggest receiving an enablement code from a user of the computer system, wherein the enablement code includes a specified resource-time. While Circenis does teach a codeword, Circenis does not teach the codeword includes a specified resource-time. For this reason alone, claim 19 is allowable over Circenis.

Nowhere does Circenis teach or suggest determining whether the enabled resource is shared, and if so, metering actual usage of the at least one resource by the selected logical partition above a predetermined non-zero threshold that specifies allowable usage of the at least one resource by the selected logical partition, and billing for the actual usage of the at least one resource by the selected logical partition above the predetermined non-zero threshold. Circenis is devoid of any teaching relating to metering and billing for usage of a share resource above a predetermined non-zero threshold that specifies allowable usage of the shared resource by the selected logical partition. For this reason alone, claim 19 is allowable over Circenis.

Claims 20-21 and 23 depend on claim 19, which is allowable for the reasons given above. As a result, claims 20-21 and 23 are allowable as depending on an allowable independent claim.

Claim 45

Claim 45 has been added herein, and includes many limitations disclosed in applicant's FIG. 6. Applicant respectfully asserts claim 45 is allowable over Circenis.

Conclusion

In summary, none of the cited prior art, either alone or in combination, teach, support, or suggest the unique combination of features in applicant's claims presently on file. Therefore, applicant respectfully asserts that all of applicant's claims are allowable. Such allowance at an early date is respectfully requested. The Examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

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